

# **CITY COUNCIL MEETING MINUTES CITY OF FOND DU LAC, WISCONSIN**

November 22, 2011  
7:00 P.M.

Legislative Chambers  
City-County Government Center

160 South Macy Street  
Fond du Lac, Wisconsin

## **REGULAR AGENDA**

### **CALL TO ORDER**

ROLL CALL: Present - Mick Burroughs  
Rick Gudex  
Rebecca Lunde-Ross  
Gary Miller  
Jeff Ruedinger  
Jim Sabel  
Rob Vande Zande

Absent - None

Administrative Staff - Thomas Herre, City Manager  
Wayne Rollin, Dir of Comm Dev  
Hal Wortman, Dir of Admin  
Tracy Salter, Dpty Comptroller/  
Treasurer  
Deb Hoffmann, City Attorney  
Chad Wade, Assistant City Attorney  
Jordan Skiff, Dir of Public Works  
Paul DeVries, City Engineer  
Kathy Scharf, Water Op Mgr  
Steve Kees, Operations Director  
Ken Hall, Library Director  
Bill Lamb, Chief of Police  
Kevin Lemke, Dpty Chief of Police  
Steve Klein, Police Captain  
Peter O'Leary, Fire Chief  
Dave Zitlow, IT Service Manager

Council President Gudex declared a quorum present.

### **PLEDGE OF ALLEGIANCE AND REFLECTION**

Pledge of Allegiance was recited.

A moment of silent reflection was observed.

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### **PUBLIC HEARINGS**

**Proposed Comprehensive Plan Amendment For Future Change Of Land Use Designation From Industrial To Commercial To Permit Future Commercial Land Uses And Development On Property Currently Designated For Industrial Use Property Is Located at 475 South Seymour Street (FDL-15-17-16-44-765-00)**

Council President Gudex declared the Public Hearing open.

Spoke in Support of the Proposed Comprehensive Plan Amendment:

Non-Resident:

Brad Lenz, W4425 Overland Trail, Fond du Lac

With no further appearances being made, Council President Gudex declared the Public Hearing closed.

### **CONSENT AGENDA**

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(A Motion Adopting The Consent Agenda Finalizes The Proposed Action Cited For The Matter)

#### **APPROVAL OF MINUTES**

November 9, 2011 Regular City Council Meeting

Motion made by Councilperson Miller to approve the Consent Agenda.

Seconded by Councilperson Vande Zande.

ROLL CALL VOTE:     Aye - Miller, Ruedinger,  
  Lunde-Ross, Gudex, Burroughs,  
  Vande Zande, Sabel

Nay - None

Carried.

### **REGULAR AGENDA**

#### **AUDIENCE COMMENTS**

The presiding officer shall limit comments to items noticed on the agenda.

Spoke in Support of Ordinance Nos. 3479 & 3480:

Resident:

Howard Floeter, 131 S Main St., Fond du Lac

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Spoke in Support of Ordinance Nos. 3479 & 3480:

Non-Resident:

Brad Lenz, W4425 Overland Trail, Fond du Lac

## **REPORTS OF OFFICERS**

City Manager, Dated November 16, 2011

Subject: Retirements Of Joseph Ditter, Wastewater Treatment  
Operator And Gary Bloedorn, Water Plant Operator

Director Of Administration, Dated November 16, 2011

Subject: List Of Claims

(Proposed Action: **Receive And File**)

Motion made by Councilperson Lunde-Ross to receive and  
file the List of Claims dated November 16, 2011 as  
presented.

Seconded by Councilperson Burroughs.

ROLL CALL VOTE: Aye - Miller, Ruedinger,  
Lunde-Ross, Gudex, Burroughs,  
Vande Zande, Sabel

Nay - None

Carried.

Director of Public Works and Chief of Police

Subject: Winter Safety

Winter safety guidelines were presented by Bill Lamb, Chief of  
Police, and Jordan Skiff Director of Public Works.

## **REPORTS OF COMMITTEES**

Students, Samantha Swiss, Marisa Haberman and Ben Ellingson,  
presented the Environmental Scan Final Report on Students Taking  
Action Against Negative Decisions (STAAND).

## **RESOLUTIONS**

### **Resolution No. 8283**

Subject: A Resolution Approving The Proposed 2012 Through 2016  
Capital Improvement Plan

(Effect: Adopt The 2012 Through 2016 Capital Improvement Plan

(Initiator: City Council

(Plan Commission Recommendation: **Approve**)

(File No. 2011-150

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Motion made by Councilperson Sabel to **Amend** Resolution No. 8283 to move \$50,000 from the 2012 CIP to the 2013 CIP for Buttermilk and McDermott Tennis Courts.  
Seconded by Councilperson Miller.

Carried.

ROLL CALL VOTE: Aye - Sabel  
Nay - Miller, Ruedinger,  
Lunde-Ross, Gudex, Burroughs,  
Vande Zande

Failed.

ROLL CALL VOTE: Aye - Miller, Ruedinger,  
Lunde-Ross, Gudex, Burroughs,  
Vande Zande, Sabel  
Nay - None

Carried

(File No. 2011-150

Motion made by Councilperson Miller to **Amend** Resolution No. 8284 that \$10,000 of the \$20,000 pledge amount by the Friends of Taylor Park Pool Inc. be used to purchase a climbing wall at Taylor Park Pool.  
Seconded by Councilperson Ruedinger.  
Motion withdrawn by Councilperson Miller.

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Motion made by Councilperson Vande Zande to **Amend** Resolution No. 8284 to remove \$50,000 from the 2012 Budget General Fund for Buttermilk and McDermott Tennis Courts.

Seconded by Councilperson Lunde-Ross.

ROLL CALL VOTE:     Aye - Miller, Ruedinger,  
  Lunde-Ross, Gudex, Burroughs,  
  Vande Zande, Sabel  
  Nay - None

Carried.

Motion made by Councilperson Gudex to **Amend** Resolution No. 8284 to reduce a portion of the Inspections Department staff to half time for a savings of \$106,000.

Seconded by Councilperson Lunde-Ross.

ROLL CALL VOTE:     Aye - Gudex, Burroughs  
  Nay - Miller, Ruedinger,  
  Lunde-Ross, Vande Zande, Sabel

Failed.

Motion made by Councilperson Gudex to **Amend** Resolution No. 8284 to eliminate longevity pay over a three year period.

Seconded by Councilperson Vande Zande.

ROLL CALL VOTE:     Aye - Lunde-Ross, Gudex,  
  Vande Zande  
  Nay - Miller, Ruedinger, Burroughs,  
  Sabel

Failed.

Motion made by Councilperson Gudex to **Amend** Resolution No. 8284 to remove \$170,000 from the 2012 CIP for street resurfacing.

Seconded by Councilperson Miller.

ROLL CALL VOTE:     Aye - Gudex  
  Nay - Miller, Ruedinger,  
  Lunde-Ross, Burroughs,  
  Vande Zande, Sabel

Failed.

**Vote on Main Motion (as Amended):**

ROLL CALL VOTE:     Aye - Miller, Ruedinger,  
  Lunde-Ross, Burroughs,  
  Vande Zande, Sabel  
  Nay - Gudex

Carried.

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### **Resolution No. 8285**

Subject: A Resolution Accepting Funds From The WISCOM Grant

(Effect: Enhance Safety Communication

(Initiator: Chief Of Police

(File No. 2011-102

Motion made by Councilperson Vande Zande to approve  
Resolution No. 8285.

Seconded by Councilperson Burroughs.

ROLL CALL VOTE: Aye - Miller, Ruedinger,  
Lunde-Ross, Gudex, Burroughs,  
Vande Zande, Sabel

Nay - None

Carried.

### **Resolution No. 8286**

Subject: A Resolution Granting A Special Use Permit

(Effect: Install 1000 Gallon Aboveground Fuel Tank

(Location: 457 West 11<sup>th</sup> Street

(Initiator: Agripartners Co-Op

(Plan Commission Recommendation: **Approve**)

(File No. 2011-103

Motion made by Councilperson Sabel to approve  
Resolution No. 8286.

Seconded by Councilperson Miller.

ROLL CALL VOTE: Aye - Miller, Ruedinger,  
Lunde-Ross, Gudex, Burroughs,  
Vande Zande, Sabel

Nay - None

Carried.

### **Resolution No. 8287**

Subject: A Resolution Affirming The City's Support Of The Guard  
And Reserve

(Effect: Affirm City's Support Of Military Service

(Initiator: City Manager

(File No. 2011-104

Motion made by Councilperson Vande Zande to approve  
Resolution No. 8287.

Seconded by Councilperson Burroughs.

ROLL CALL VOTE: Aye - Miller, Ruedinger,  
Lunde-Ross, Gudex,  
Burroughs, Vande Zande, Sabel

Nay - None

Carried.

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### **ORDINANCES**

#### **Ordinance No. 3479**

Subject: A Zoning Ordinance

(Effect: Rezone Land From M-1 Manufacturing District To B-5,  
Special Commercial District

(Location: 475 South Seymour Street

(Initiator: 475 S Seymour Street, LLC

(Plan Commission Recommendation: **Approve**)

(File No. 2011-105

Motion made by Councilperson Sabel to approve Ordinance  
No. 3479.

Seconded by Councilperson Lunde-Ross.

ROLL CALL VOTE: Aye - Miller, Ruedinger,  
Lunde-Ross, Gudex, Burroughs,  
Vande Zande, Sabel

Nay - None

Carried.

#### **Ordinance No. 3480**

Subject: An Ordinance Amending The City Of Fond du Lac  
Comprehensive Plan 2010-2030

(Effect: Amend Comprehensive Plan

(Location: 475 South Seymour Street

(Initiator: 475 S Seymour Street, LLC

(Plan Commission Recommendation: **Approve**)

(File No. 2009-113

Motion made by Councilperson Sabel to approve Ordinance  
No. 3480.

Seconded by Councilperson Lunde-Ross.

ROLL CALL VOTE: Aye - Miller, Ruedinger,  
Lunde-Ross, Gudex, Burroughs,  
Vande Zande, Sabel

Nay - None

Carried.

#### **Ordinance No. 3481**

Subject: An Ordinance Amending Chapter 3, Finance And Taxation  
Of The Code Of Ordinances Of The City Of Fond du Lac

(Effect: Increase Room Tax By One Percent

(Initiator: City Manager

(File No. 2011-032

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ROLL CALL VOTE:       Aye - Miller, Ruedinger,  
                              Lunde-Ross, Gudex, Burroughs,  
                              Vande Zande, Sabel  
                              Nay - None

**ADJOURN TO CLOSED SESSION**

And

The Subjects Of The Closed Session Are:

## Update Labor Negotiations

ROLL CALL VOTE: Aye - Miller, Ruedinger,  
Lunde-Ross, Gudex, Burroughs,  
Vande Zande, Sabel  
Nay - None

Carried.



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Meeting adjourned to the Closed Session at 8:31 p.m.

MARGARET HEFTER  
DEPUTY CITY CLERK

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